

partially defining an oscillating air chamber 48; a static pressure control mechanism 52, 52a for controlling the pressure in the oscillating air chamber.

The Examiner failed to point out anything in Muramatsu that discloses the oscillating plate (66 of the present application) defining the pressure receiving chamber 72 and the oscillating air chamber 70 on opposite sides of the oscillating plate, which is periodically oscillated by the periodic air pressure change in the oscillating air chamber 70 for actively controlling the pressure of the fluid in the pressure receiving chamber 72. The Examiner stated that the oscillating plate was item 40 and the air chamber was 48 and that the pressure receiving chamber was 34, in Muramatsu, but the Examiner did not point out that the oscillating plate 40 of Muramatsu is oscillated by a periodic change of an air pressure generated in the oscillating air chamber to actively generate a change of fluid pressure in the pressure receiving chamber and actively damp the vibration to be damped based on the change of the fluid pressure in the pressure receiving chamber, as recited in claim 1. Because Muramatsu only discloses static pressure control, but not active pressure control, for at least this reason claim 1 is not anticipated by Muramatsu.

Regarding claim 2, the Examiner stated that col. 7, lines 33-41, of Muramatsu discloses the controlling scheme to control the oscillating air chamber as claimed in the present invention. Col. 7, lines 33-41, of Muramatsu does not disclose that the oscillating air chamber is applied with the periodic change of the air pressure whose frequency corresponds to a frequency of the vibration to be damped, while the static pressure control mechanism is operated to statically change at least one of the fluid pressure in the pressure receiving chamber and the air pressure in the a oscillating air chamber, as recited in claim 2. The cited section of Muramatsu does not disclose the frequency at which the pressure is changed. Muramatsu does not suggest that the frequency is changed at a frequency corresponding to the frequency of the vibration. In addition, the Examiner seems to be citing the same components for providing the periodic changing pressure system with the static pressure control. For at least these reasons, claim 2 is not anticipated by Muramatsu.

Regarding claim 3 the Examiner stated that Muramatsu shows a static working air chamber 62 being controlled by 52a to affect pressure in the pressure receiving chamber. Col. 7, line 15, of Muramatsu says that reference number 52a is a connector. It also describes a second pressure control means, but nothing in Muramatsu discloses one pressure control device for providing a pressure oscillation frequency corresponding to the frequency to be damped and

another pressure control device to provide a static pressure, as recited in claim 3. For at least these reasons, claim 3 is not anticipated by Muramatsu.

Regarding claim 4, the Examiner stated that Muramatsu further shows switching valve 55. Nothing in Muramatsu discloses that switching valve 55 is operated at a high frequency which is higher than a frequency of the vibration to be damped. In addition, valve 55 of Muramatsu is connected to inlet 52, yet the Examiner stated that inlet 52a is the controller for the static working air chamber 62. Therefore, switching valve 55 is not a static pressure regulating switch valve, as recited in claim 4. For at least these reasons, claim 4 is not anticipated by Muramatsu.

Claims 5-14 and 16-18 each depend either directly or indirectly from the independent claim 1, and are therefore respectfully submitted to be patentable over the art of record for at least the reasons set forth above with respect to claim 1. Additionally, these dependent claims require additional elements that when taken in the context of the claimed invention, further patentably distinguish the art of record. For example, claim 5 recites that the same oscillating air chamber has an active air oscillation and static operation applied to deform the elastic oscillating plate. An active oscillation and static change applied to the elastic oscillating plate is not shown in figures 2 and 3, as suggested by the Examiner. For at least these reasons, claims 5-14 and 16-18 are not anticipated by Muramatsu.

Rejection under 35 U.S.C. § 103(a):

The Examiner rejected claim 19 under 35 U.S.C. § 103(a) as being unpatentable over Muramatsu. The Examiner stated that Muramatsu's damping device as rejected in claims 1 and 3, lacks a static pressure regulating switch valve and how it is connected to either the atmosphere or the vacuum to control the pressure in the static working air chamber 62, and that column 7, lines 14-16, show that 52a is meant to be a second pressure control means, and that the first control means 52 is described in details in column 7, lines 33-41, and that it would have been obvious to have modified Muramatsu's damping device to include a static pressure regulating switch valve and how it is connected to either the atmosphere or the vacuum to control the pressure in the static working air chamber 62 as a second control means.

Nothing in Muramatsu suggests that one switch valve is an active pressure regulating switch valve and another switch valve is a static pressure regulating switch valve. The Examiner failed to point out anything in Muramatsu that discloses or suggests a controller adapted to control switching operation of the active and static pressure switch valves on the basis of driving conditions of the vehicle, as recited in claim 19. For at least these reasons, claim 19 is not made obvious by Muramatsu.

The Examiner rejected claims 15 and 20 under 35 U.S.C. § 103(a) as being unpatentable over Muramatsu (US Patent 5,170,998) in view of Muramatsu et al. (US Patent 6,352,249). Claim 15 is dependent on claim 14 and claim 20 is dependent on claim 19. Neither Muramatsu nor Muramatsu et al. suggest a controller for controlling both an active pressure regulating switch and a passive pressure regulating switch. For at least these reasons, claims 15 and 20 are not made obvious by Muramatsu in view of Muramatsu et al.

Applicants believe that all pending claims are allowable and respectfully request a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at (831) 655-2300.

Respectfully submitted,
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